



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)

BAUER et al.)

Art Unit: 1713

Serial No. 10/658,916)

Examiner: Cheung, William K.

Filed: September 11, 2003)

For: **VAPOR-PHASE FLUIDIZED-BED PROCESS AND ETHYLENE
HOMOPOLYMERS AND COPOLYMERS PRODUCED THEREBY**

TERMINAL DISCLAIMER

Honorable Comm'r. of Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Your Petitioner, Basell Polyolefins GmbH, a corporation of Germany, having a place of business at 50389 Wesseling, is the Assignee of the entire right, title and interest in and to pending U.S. Application Serial No. 10/658,916, filed 09/11/2003, as evidenced by the assignment recorded on Reel 12/12/02, Frame 013556, on 0295.

Your Petitioner, by the undersigned attorney of record, hereby disclaims the terminal part of any patent granted on application Serial No. 10/658,916 which would extend beyond the expiration date of U.S. Patent No. 6,649,709, which application is also owned by Petitioner, and hereby agrees that any patent based on application Serial No. 10/658,916, shall be enforceable only for and during such period that application Serial No. 10/658,916 and U.S. Patent No. 6,649,709 are commonly owned. This agreement runs with any patent granted on application Serial No. 10/658,916, and is binding upon

the grantee, its successors or assigns.

Petitioner also states that the invention disclosed and claimed in application Serial No. 10/658,916 and the invention disclosed and claimed in U.S. Patent No. 6,649,709, were commonly owned when the invention disclosed and claimed in the present application was made.

Petitioner further states that the evidentiary documents relating to the ownership of application Serial No. 10/658,916 and U.S. Patent No. 6,649,709 have been reviewed and Petitioner certifies that to the best of its knowledge and belief, title is in Petitioner. The undersigned has reviewed all the documents in the chain of the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the assignee identified above.

A check to cover the Terminal Disclaimer fee in the amount of \$110.00 USD is enclosed.

This Terminal Disclaimer executed on behalf of the Assignee by the undersigned attorney of record, this September day of 01, 2004.



Daniel S. Kim
Reg. No. 51877